

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALLAN THOMAS ROCKWELL,
Plaintiff,
v.
TUOLUMNE COUNTY, et al.,
Defendants.

Case No. 1:22-cv-00392-JLT-EPG

ORDER SETTING BRIEFING SCHEDULE
REGARDING DEFENDANTS' MOTIONS
TO DISMISS

(ECF Nos. 18-19, 24)

Plaintiff Allan Thomas Rockwell ("Plaintiff") is proceeding *pro se* in this action against Tuolumne County, Michael Choate, Denise Choate, and Melissa Brouhard. (*See* ECF No. 1.)¹

On May 24, 2022, Defendants Denise and Michael Choate, proceeding *pro se*, filed motions to dismiss the complaint. (ECF Nos. 18-19.) On June 14, 2022, Plaintiff filed an opposition to the motions. (ECF No. 22.) On June 21, 2022, Defendants Tuolumne County and Melissa Brouhard filed a joint motion to dismiss, which was set for hearing on June 28, 2022. (ECF No. 24.)

In light of District Judge Jennifer L. Thurston's orders referring Defendants' motions to dismiss to the undersigned (ECF Nos. 23, 26), the Court will set a briefing schedule and hearing

¹ Plaintiff has filed a First Amended Complaint that indicates that this action is brought by Plaintiff and by G.A.R., a minor, proceeding *pro se*. (*See* ECF No. 5.) However, the Court has issued an order requiring Plaintiff to show cause why G.A.R.'s claims should not be dismissed. (ECF Nos. 8, 17.) Plaintiff's response to the order to show cause is currently due June 30, 2022.

on the motions to dismiss. Additionally, the Court will vacate the Initial Scheduling Conference. The Court will reset the Initial Scheduling Conference if necessary after the pending motions are resolved.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's opposition to Defendant Tuolumne County's motion to dismiss (ECF No. 24) shall be filed by July 8, 2022;
2. Defendants Denise Choate, Michael Choate, Tuolumne County, and Melissa Brouhard may file replies in support of their respective motions to dismiss (ECF Nos. 18-19, 24) by July 22, 2022;
3. The Court sets a hearing on the motions to dismiss (ECF Nos. 18-19, 24) for **July 29, 2022 at 10:00 am in Courtroom 10 (EPG)** before Magistrate Judge Erica P. Grosjean. All parties, including *pro se* parties, may appear telephonically at the hearing. To participate telephonically, each party is directed to use the following dial-in number and passcode: **1-888-251-2909; passcode 1024453**; and
4. The Initial Scheduling Conference currently set for August 18, 2022 is VACATED to be reset by the Court, if necessary, after issuance of a final order on the pending motions to dismiss.

IT IS SO ORDERED.

Dated: **June 23, 2022**

/s/ Erica P. Grosjean
UNITED STATES MAGISTRATE JUDGE